

REMARKS/ARGUMENTS

It is asserted that these amendments do not add new matter and are supported by the specification and claims as originally filed. Entry of these claims is respectfully requested.

Claims 45-55, 61 and 62 have been rejected.

Of the above, claims 52-55 have been withdrawn from consideration.

Claims 46-51, and 62 are kept unchanged.

Claims 45 and 61 have been amended.

Claims 47, 51-60 have been canceled.

Claims 45, 46, 48-50, 61 and 62 are pending in the application.

Claims 52-55, withdrawn from consideration, have been canceled.

A new abstract is herewith enclosed.

The rejection of claims 45-51, 61 and 62, under 35 USC 112, second paragraph, as being indefinite for particularly point out and distinctly claim the subject matter which Applicant regards as the invention, is respectfully traversed and is addressed in light of the comments below.

The phrase "0.3 and 1.5 milliequivalents/gram" has been deleted from claims 45 and 61. The phrase "said composition comprising a population B of particles bearing isocyanate functional group(s)", has been deleted from the end of claim 45 and inserted in its beginning. There is now a clear nexus between "population A" and "population B".

Duplicate claim 51 has been canceled.

For these reasons, Applicant respectfully requests that the Examiner now reconsider and withdraw the rejection of claims 45-51, 61 and 62, under 35 USC 112, second paragraph, as being indefinite for particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

The rejection of claims 45-51, 61 and 62, under 35 U.S.C. § 103 (a) as being unpatentable over Uemae (US Patent 5,405,879), is respectfully traversed and is addressed in light of the comments below.

The instant invention relates to a composition comprising a dispersion having at least one aqueous phase having a pH of between 4 and 9 and a population A of latex particles of polymer or of copolymer having acidic and hydroxyl functional groups whose particle size is between 10 and 1000 nanometers, wherein the particles have an accessible acidic functional group content, being the acidic functional groups, which are at most 5 nanometers from the surface of the particle- continuous aqueous phase interface, of between 0.2 and 1.2 milliequivalents/gram of solid matter, and an accessible alcoholic functional group content, being the hydroxyl functional groups, which are at most 10 nanometers from the surface of the particle-continuous aqueous phase interface, of between 0.3 and 1.5 milliequivalents/gram, and wherein said polymer or copolymer particles are originated from a copolymerization between at least one free acid monomer containing an activated ethylenic bond and at least one free alcohol, and, wherein a unit originating from said free alcohol monomer contains an activated ethylenic functional group which has a content of between 3 and 15 % (mole).

The Examiner asserts that monomers of M-4 can be used in forming the skin layer.

However monomers of M-4 are not compulsory (column 5, lines 27-28) and their maximum content 5 weight % is below the claimed minimum content of 3% (mole).

Besides, Uemae et al. are mute on the presence of hydroxyl functional groups at the surface of the particles. Therefore, one having ordinary skill in the art would have not retrieved the instant invention from the teaching of Uemae et al.

For these reasons, Applicant respectfully requests that the Examiner now reconsider and withdraw the rejection of claims of claims 45-51, 61 and 62, under 35 U.S.C. § 103 (a), as being unpatentable over Uemae (US Patent 5,405,879).

The rejection of claims 45-51, 61 and 62, under 35 U.S.C. § 103 (a), as being obvious over Takeuchi (US Patent 5,453,458), is respectfully traversed and is addressed in light of the comments below.

As the Examiner said, the disclosure of Takeuchi et al. are silent with respect to the location of the acidic and hydroxyl functional groups relative to the particle surface.

Takeuchi et al does not disclose nor suggest composition comprising a dispersion having at least one aqueous phase having a pH of between 4 and 9.

For these reasons, Applicant respectfully requests that the Examiner now reconsider and withdraw the rejection of claims 45-51, 61 and 62, under 35 U.S.C. § 103 (a), as being obvious over Takeuchi (US Patent 5,453,458).

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AMENDMENT

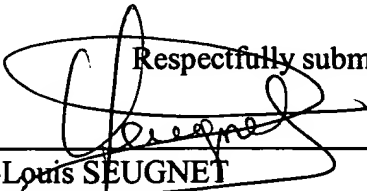
In view of the preceding remarks, it is asserted that the present application is in condition for allowance. Should the Examiner have any questions regarding these remarks which would further advance prosecution of the claims to allowance, the examiner is cordially invited to telephone the undersigned agent at (609) 860-4180.

A Notice of Allowance is respectfully solicited.

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Respectfully submitted,

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